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THIRD COMMITTEE
Agenda item 110 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Afghanistan, Albania, Andorra, Bosnia and Herzegovina, Canada, Chile, Iceland, Jordan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Pakistan, Qatar, San Marino, Saudi Arabia, Senegal, Tunisia, Turkey, United Arab Emirates and United States of America: draft resolution

Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention on the Prevention and Punishment of the Crime of Genocide[4] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[5]

Taking note with concern of the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 2106 A (XX), annex.

[4] Resolution 260 A (III).

[5] Resolution 39/46, annex.

the former Yugoslavia which describe the continuing grave human rights situation in Kosovo, including in particular police brutality, killings resulting from such violence, arbitrary searches and arrests, torture and ill-treatment of detainees, the deliberate maltreatment, persecution and imprisonment of political and human rights activists, the mass dismissals of civil servants, discrimination against pupils and teachers, acts which are mainly perpetrated against ethnic Albanians,

Welcoming, as a first step, the recent signature of a memorandum of understanding concerning the educational system in the Albanian language in Kosovo and calling for the proper implementation of that memorandum,

Appreciating efforts to monitor the situation in Kosovo, but at the same time expressing regret at the fact that the establishment of an adequate international monitoring presence in Kosovo has not yet been achieved,

Recalling its resolution 50/190 of 22 December 1995 and other relevant resolutions, and taking note of the resolutions on the matter adopted by the Commission on Human Rights at its fifty-second session and the Subcommission on Prevention of Discrimination and Protection of Minorities, at its forty-eighth session,

1. Condemns all violations of human rights in Kosovo, in particular the repression of the ethnic Albanian population and discrimination against them, as well as all acts of violence in Kosovo;

2. Demands that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro):

(a) Take all necessary measures to bring to an immediate end all human rights violations against ethnic Albanians in Kosovo, including, in particular, the discriminatory measures and practices, arbitrary searches and detention, the violation of the right to a fair trial and the practice of torture and other cruel, inhuman or degrading treatment, and to revoke all discriminatory legislation, in particular that which has entered into force since 1989;

(b) Release all political prisoners and cease the persecution of political leaders and members of local human rights organizations;

(c) Allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and respect the will of its inhabitants as the best means of preventing the escalation of the conflict there;

(d) Allow the reopening of educational, cultural and scientific institutions of the ethnic Albanians;

(e) Pursue constructive dialogue with the representatives of ethnic Albanians in Kosovo;

3. Welcomes the visits to Kosovo of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of

the former Yugoslavia and her relevant reports and calls upon her to continue to monitor closely the human rights situation in Kosovo and to continue to pay due attention to this matter in her reporting;

4. Urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow the immediate unconditional return of the long-term mission of the Organization for Security and Cooperation in Europe to Kosovo, called for in Security Council resolution 855 (1993) of 9 August 1993;

5. Welcomes the report of the Secretary-General submitted pursuant to resolution 50/190,[6] and requests him to continue his efforts to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to establish an adequate international monitoring presence in Kosovo and to report thereon to the General Assembly at its fifty-second session;

6. Encourages the Secretary-General to pursue his humanitarian efforts in the former Yugoslavia, in liaison with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and other appropriate humanitarian organizations, with a view to taking urgent practical steps to tackle the critical needs of the people in Kosovo, especially of the most vulnerable groups affected by the conflict, and to assist in the voluntary return of displaced persons to their homes in conditions of safety and dignity;

7. Emphasizes the importance of laws and regulations concerning citizenship applied by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) being in accordance with the standards and principles of non-discrimination, equal protection before the law, and the reduction and avoidance of statelessness, as set out in the relevant international human rights instruments;

8. Decides to continue examination of the human rights situation in Kosovo at its fifty-second session under the item entitled "Human rights questions".

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[6] A/51/556.